

SEMINOLE COUNTY GOVERNMENT AGENDA MEMORANDUM

SUBJECT: Satisfaction of Code Enforcement Lien – Case No. 94-63-CEB – Cleveland and Gaylar Mitchell, previous owners – Leon Graham, current owner – Jack Court, Sanford, Tax Parcel # 32-19-31-508-0000-0050

DEPARTMENT: Planning and Development **DIVISION:** Planning

AUTHORIZED BY: Dan Matthys **CONTACT:** April Boswell **EXT.** 7339

Agenda Date 3/14/06 **Regular** ☐ **Consent** ☒ **Work Session** ☐ **Briefing** ☐
Public Hearing – 1:30 ☐ **Public Hearing – 7:00** ☐

MOTION/RECOMMENDATION:

Approve the Satisfaction of Lien in the amount of \$1,075.00, Case No. 94-63-CEB, on Jack Court, Sanford, Tax Parcel # 32-19-31-508-0000-0050, previously owned by Cleveland and Gaylar Mitchell, but presently owned by Leon Graham.

Commissioner Carey– District 5

April Boswell – Assistant Planning Manager

BACKGROUND:

On December 1, 1994, the Code Enforcement Board issued its Findings of Facts, Conclusion of Law and Order. This Order required the Respondents, Cleveland and Gaylar Mitchell, to comply with County Code on or before January 6, 1995, by removing the uncultivated vegetation in excess of 24" in height, located within 75' of a structure, in violation of Seminole County Code, Chapter 95, Section 95.4, as defined in Section 95.3(h). The timeline is below:

December 1, 1994	<u>Findings of Fact, Conclusions of Law and Order</u> , setting compliance date of January 6, 1995 or a fine of \$25.00 per day imposed if compliance not achieved
January 6, 1995	<u>Affidavit of Non-Compliance</u> filed by the Code Officer, indicating non-compliance on January 6, 1995

Reviewed by:
Co Atty: KL
DFS: _____
Other: _____
DCM: 95
CM: RD

File No. cpdp01

January 26, 1995	Code Enforcement Board issued an <u>Order Imposing Penalty/Lien</u> , for a lien in the amount of \$525.00 (21 days at \$25.00 per day) and increasing the fine to \$50.00 per day if the violation continues past January 26, 1995
February 7, 1995	<u>Affidavit of Compliance</u> filed by the Code Officer, indicating compliance on February 7, 1995 (11 days at \$50.00 per day for a total of \$500.00)
January 27, 2006	Seminole County received payment in the amount of \$1,075.00. Copies of the check and receipt are attached.

STAFF RECOMMENDATION

Authorize the Chairman to execute a Satisfaction of Lien for Code Enforcement Board Case #94-63-CEB, Tax Parcel # 32-19-31-508-0000-0050 in the amount of \$1,075.00.

Attachments: Findings of Fact, Conclusions of Law and Order (12/01/94)
Affidavit of Non-Compliance (01/06/95)
Order Imposing Penalty/Lien (01/26/95)
Affidavit of Compliance (02/07/95)
Check for Payment (01/24/06)
Receipt for Payment (01/27/06)
Property Appraiser Database Information (01/17/06)

**CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

Case No. 94-63-CEB

SEMINOLE COUNTY, a political
subdivision of the State of Florida,

Petitioner,

vs.

CLEVELAND M. & GAYLAR MITCHELL,

Respondents.

**FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND ORDER**

THIS CAUSE came on for public hearing before the Board on the 1st day of December, 1994, after due notice to Respondents. The Board, having heard testimony under oath and received evidence issues its Findings of Fact, Conclusions of Law, and Order as follows:

FINDINGS OF FACT

- (1) That the Respondents are the owners of record of the property.
- (2) That the Respondents are in possession or control of the property.
- (3) That there is the existence of and accumulation of excessive weed growth over twenty-four inches (24") in height on the property located within a radius of seventy-five feet (75') from a residence.

CONCLUSIONS OF LAW

That the facts set forth above establish the existence of excessive weed growth which is a violation of Section 95.3 of the Seminole County Land Development Code.

ORDER

- (1) The Respondents shall come into compliance with the Code by removing excessive weed growth from the property.

MARYANNE MORSE, CLERK OF CIRCUIT COURT
CLERK OF SEMINOLE COUNTY
BK 06089 PGS 1655-1657
FILE NUM 2006010371
RECORDED 01/20/2006 02:16:43 PM
RECORDING FEES 27.00
RECORDED BY B Harford

(2) If any violation or combination of violations continue past January 6, 1995 or if any violation is repeated after compliance on, before, or after that date, a fine of \$25.00 per day for each day the violation continues or is repeated shall be imposed.

(3) Should any violation continue past January 6, 1995, or should the Respondents be notified that the same violation has been repeated, it shall be the Respondents' sole responsibility to contact the code inspector to arrange for an inspection to ascertain whether the Respondents are then in compliance with the Code. It shall also be the Respondents' sole responsibility to contact the code inspector to arrange for an inspection in the event compliance is made prior to the date set forth in Paragraph (1) of this Order. The fine shall continue until such time as the code inspector reinspects to insure that the violation has been corrected and establishes the date the Respondents have come into compliance. A hearing shall not be necessary to find that the violation has been repeated nor to issue an Order relating to such repeated violation.

(4) Respondents are further ordered to appear at the hearing of this Board on January 26, 1995 at 1:30 p.m. unless the Respondents receive written notice from the Clerk of this Board to the contrary. At that hearing the Board will consider imposition of any fine that may have accrued to that date in the event the Respondents did not comply with Paragraph (1) above and shall consider increasing the fine assessed.

(5) A certified copy of this Order may be recorded in the Public Records and shall thereupon constitute notice to any subsequent purchasers, successors in interest or assigns of the Respondent's property and the findings herein expressed are binding upon the Respondent and said purchasers, successors in interest and assigns.

DONE AND ORDERED this 1st day of December, 1994, in Seminole County, Florida.

**CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

By: 

Chairman

STATE OF FLORIDA)
)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 12th day of December, 1994, by Jean Metts, who is personally known to me.

Marcia L Fuller
Marcia L. Fuller
Notary Public in and for the
County and State aforementioned.



My Commission expires _____ .

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Findings of Fact, Conclusions of Law, and Order has been furnished by Certified Mail, Return Receipt Requested, to Respondents this 12th day of December, 1994.

By: Marcia L Fuller
Clerk to the Board

**CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA**

By: Connie R. Neibart
Date: 1-20-06

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of
Florida,

Petitioner,

vs. CLEVELAND M. & GAYLAR MITCHELL

ARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 06089 PG 1654
CLERK'S # 2006010370
RECORDED 01/20/2006 02:16:43 PM
RECORDING FEES 10.00
RECORDED BY G Harford

CASE NO. 94-63-CEB

Respondent.

AFFIDAVIT OF NON-COMPLIANCE

BEFORE ME, the undersigned authority, personally appeared
PAMELA TAYLOR, Code Inspector for CURRENT PLANNING, who after being
duly sworn, deposes and says:

1. That on DECEMBER 1, 1994, the Board held a public hearing
and issued its Order in the above-styled matter.
2. That, pursuant to said Order, Respondent was to have
taken certain corrective action by or before JANUARY 6, 1995.
3. That a re-inspection was performed on JANUARY 6, 1995.
4. That the re-inspection revealed that the corrective
action ordered by the Board has not been taken in that THE
UNCULTIVATED VEGETATION IN EXCESS OF 24" IN HEIGHT AND WITHIN 75'
OF A STRUCTURE IS STILL PRESENT ON SUBJECT PROPERTY.

FURTHER AFFIANT SAYETH NOT.

DATED this 9TH day of JANUARY, 1995.

Pamela Taylor
Signature of Code Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

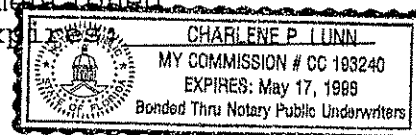
The foregoing instrument was acknowledged before me this 9TH
day of JANUARY, 1995, by PAMELA TAYLOR, who is personally known to
me and who did take an oath.

CERTIFIED COPY
CLERK OF THE
COUNTY
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

By: Conne R. DeVasto
Date: 1-20-06

Charlene P. Lunn
Print Name CHARLENE P LUNN

Notary Public in and for the County
and State Aforementioned.
My commission expires



CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

Case No. 94-63-CEB

SEMINOLE COUNTY, a political
subdivision of the State of
Florida,

Petitioner,

vs.

CLEVELAND M & GAYLAR MITCHELL,

Respondents.

OFFICIAL RECORDS
BOOK PAGE
2883 0283
SEMINOLE CO. FL.

ORDER IMPOSING PENALTY/LIEN

THIS CAUSE came on for public hearing before the Board on the 26th day of January, 1995, after due notice to Respondents. The Board, having heard testimony under oath, and received evidence, issued its Findings of Fact, Conclusions of Law, and Order.

Said Order required Respondents to take certain corrective action by a time certain, as more specifically set forth in that Order.

Accordingly, it having been brought to the Board's attention by Affidavit of Noncompliance dated January 9, 1995, that the corrective action had not been taken, and

A fine of \$525.00 having accrued, it is hereby

TAMARINE FURMAN
CLERK OF CIRCUIT COURT
673488
RECORDED & VERIFIED
95 FEB 17 AM 7:59

ORDERED that a lien in the amount of FIVE HUNDRED TWENTY FIVE AND NO/100 (\$525.00) shall be recorded in the Official Records of Seminole County, and

FURTHER ORDERED, that the fine shall continue to accumulate in the amount of \$50.00 per day and shall constitute a lien in favor of Seminole County against the following described property (pursuant to Section 162.09, Florida Statutes) in the amount of the accumulated fine:

Lot 5, Thomas 2nd Addition to Midway, Section 32, Township 19, Range 31, Plat Book 11, Page 97, Public Records of Seminole County, FL (Jack Ct, Sanford FL).

FURTHER ORDERED that, pursuant to Section 162.09, Florida Statutes, if compliance is subsequently attained, but the violation is repeated, an Order may be issued by the Board without a hearing.

DONE AND ORDERED this 26th day of January, 1995, in Sanford, Seminole County, Florida.

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

By 
Chairman

STATE OF FLORIDA)
) ss
COUNTY OF SEMINOLE)

OFFICIAL RECORDS
BOOK PAGE
2883 0284
SEMINOLE CO. FL

The foregoing instrument was acknowledged before me this 2nd day of February, 1995, by Jean Metts, who is personally known to me and who did not take an oath.

Marcia L. Fuller

Marcia L. Fuller

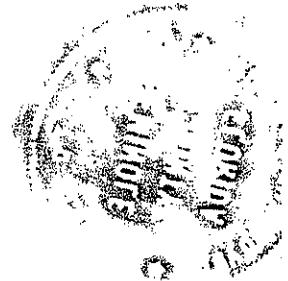
Notary Public in and for the County
and State Aforementioned.



My Commission Expires: _____

(LienSmeby.CEB)

OFFICIAL RECORDS
BOOK PAGE
2883 0285
SEMINOLE CO. FL.



MARYANNE MORSE, CLERK OF CIRCUIT COURT
SEMINOLE COUNTY
BK 06089 PG 1653
CLERK'S # 2006010369
RECORDED 01/20/2006 02:16:43 PM
RECORDING FEES 10.00
RECORDED BY G Harford

CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA

SEMINOLE COUNTY, a political
subdivision of the State of
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BEFORE ME, the undersigned authority, personally appeared
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1. That On DECEMBER 1, 1994, the Board held a public hearing
and issued its Order in the above-styled matter.
2. That, pursuant to said Order, Respondent was to have
taken certain corrective action by or before JANUARY 6, 1995.
3. That a re-inspection was performed and the Respondent was
in compliance on FEBRUARY 7, 1995.
4. That the re-inspection revealed that the corrective
action ordered by the Board has been taken.

FURTHER AFFIANT SAYETH NOT.

DATED this 7TH day of FEBRUARY, 1995.

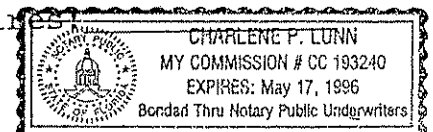
Pamela Taylor
Signature of Code Inspector

STATE OF FLORIDA)
COUNTY OF SEMINOLE)

The foregoing instrument was acknowledged before me this 7TH
day of FEBRUARY, 1995, by PAMELA TAYLOR, who is personally known to
me and who did take an oath.

CERTIFIED COPY
CLERK OF THE
CODE ENFORCEMENT BOARD
SEMINOLE COUNTY, FLORIDA
By: Constance K. Kewate
Date: 2-20-06

Charlene P. Lunn
Print Name: CHARLENE P. LUNN
Notary Public in and for the County
and State Aforementioned
My commission expires



KAMPF TITLE & GUARANTY CORPORATION

Payoff code enforcement lien #94-63-CED - TOTAL: \$1,075.00

099298
1,075.00

Jan 24, 2006

ALM-LAM

1,075.00

KAMPF TITLE & GUARANTY CORPORATION

ESCROW ACCOUNT
3999 WEST FIRST STREET (SR 46)
SANFORD, FL 32771
(407) 322-9484

BANK FIRST
3791 WEST 1ST STREET, SR 46
SANFORD, FL 32771

099298

63-1380/631
08

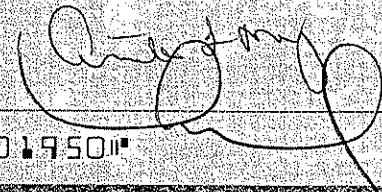
January 24, 2006
ALM-LAM

One Thousand Seventy Five dollars & no cents

**\$1,075.00

PAY TO THE ORDER OF
BOARD OF COUNTY COMMISSIONERS

File No. 64261 ALM - GRAHAM/GREEN (S-Thomas 2nd Add) (CASH) (LAM)



099298 063113808

081001950

RECEIPT

No 63386

SEMINOLE COUNTY, FLORIDA

Date 1/27 20 06

Received from Code Enforcement

Address _____

Description FILE # 01261- AIM- GRAM/GREEN

Account Number	Amount	Description
-----	-----	-----
-----	1075.00	Case #
-----	-----	9403-CEB
-----	-----	Mitchell
-----	-----	-----
-----	-----	-----

Total Amount 1075.00

Check No. 99298 Cash _____

Board of County Commissioners

By DDUDLg

PARCEL DETAIL DAVID JOHNSON, CFA, ASA PROPERTY APPRAISER SEMINOLE COUNTY FL. 1101 E. FIRST ST SANFORD, FL 32771-1468 407-665-7506		26C 25B 26 25B 25		27E 27C 27D 27 27B		1 2 3 4 5 JACK CT 8 10 6 7 8 43 42 39																															
GENERAL Parcel Id: 32-19-31-508-0000-0050 Owner: GRAHAM LEON Mailing Address: 804 LOCUST AVE City,State,ZipCode: SANFORD FL 32771 Property Address: JACK CT SANFORD 32771 Subdivision Name: THOMAS 2ND ADD TO MIDWAY Tax District: 01-COUNTY-TX DIST 1 Exemptions: Dor: 00-VACANT RESIDENTIAL						2006 WORKING VALUE SUMMARY Value Method: Market Number of Buildings: 0 Depreciated Bldg Value: \$0 Depreciated EXFT Value: \$0 Land Value (Market): \$4,116 Land Value Ag: \$0 Just/Market Value: \$4,116 Assessed Value (SOH): \$4,116 Exempt Value: \$0 Taxable Value: \$4,116 Tax Estimator																															
SALES <table border="1"> <thead> <tr> <th>Deed</th> <th>Date</th> <th>Book</th> <th>Page</th> <th>Amount</th> <th>Vac/Imp</th> <th>Qualified</th> </tr> </thead> <tbody> <tr> <td>QUIT CLAIM DEED</td> <td>09/2005</td> <td>05967</td> <td>1288</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>QUIT CLAIM DEED</td> <td>07/1986</td> <td>01754</td> <td>0872</td> <td>\$1,500</td> <td>Vacant</td> <td>No</td> </tr> <tr> <td>WARRANTY DEED</td> <td>01/1977</td> <td>01119</td> <td>0199</td> <td>\$100</td> <td>Vacant</td> <td>No</td> </tr> </tbody> </table> Find Comparable Sales within this Subdivision						Deed	Date	Book	Page	Amount	Vac/Imp	Qualified	QUIT CLAIM DEED	09/2005	05967	1288	\$100	Vacant	No	QUIT CLAIM DEED	07/1986	01754	0872	\$1,500	Vacant	No	WARRANTY DEED	01/1977	01119	0199	\$100	Vacant	No	2005 VALUE SUMMARY 2005 Tax Bill Amount: \$67 2005 Taxable Value: \$4,116 DOES NOT INCLUDE NON-AD VALOREM ASSESSMENTS			
Deed	Date	Book	Page	Amount	Vac/Imp	Qualified																															
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WARRANTY DEED	01/1977	01119	0199	\$100	Vacant	No																															
LAND <table border="1"> <thead> <tr> <th>Land Assess Method</th> <th>Frontage</th> <th>Depth</th> <th>Land Units</th> <th>Unit Price</th> <th>Land Value</th> </tr> </thead> <tbody> <tr> <td>FRONT FOOT & DEPTH</td> <td>60</td> <td>139</td> <td>.000</td> <td>70.00</td> <td>\$4,116</td> </tr> </tbody> </table>						Land Assess Method	Frontage	Depth	Land Units	Unit Price	Land Value	FRONT FOOT & DEPTH	60	139	.000	70.00	\$4,116	LEGAL DESCRIPTION PLATS: <input type="text" value="Pick..."/> LEG LOT 5 THOMAS 2ND ADD TO MIDWAY PB 11 PG 97																			
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NOTE: Assessed values shown are NOT certified values and therefore are subject to change before being finalized for ad valorem tax purposes. *** If you recently purchased a homesteaded property your next year's property tax will be based on Just/Market value.																																					